

Appln. of: Guemmer  
Serial No.: 10/622,135  
Filed: July 18, 2003

### REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-25 are pending in this application.

Claims 1-25 stand rejected under 35 USC § 112, second paragraph.

Claim 1 has been amended to clarify the relationship of the fluid flow with the other components. Several of the other claims have also been amended for purposes of clarity. In view of this, it is respectfully requested that this rejection be withdrawn.

Claims 1-25 stand rejected under § 102(b) as being anticipated by Fukue or Hoshino.

Claim 1 has been amended to require:

at least one rotor row and a plurality of stator rows each having external surfaces positioned in a fluid flow, at least one blade thereof which is positioned on throat-confining surfaces including both a device for fluid removal from the fluid flow in an area of the external surface of the blade and a device for fluid supply into the fluid flow in the area of the external surface of the blade,

Thus, at least one blade includes a device for fluid removal from the fluid flow (in which an external surface of the blade is positioned) in an area of the external surface of the blade and a device for fluid supply into the fluid flow in the area of the external surface of the blade.

In both Fukue and Hoshino, the gas flow is only through the enclosed interiors of the stator/rotor blades and the fluid is removed from and supplied to areas of fluid flows far distant from the area of the external surface of the blade. See, for instance, Fukue, Figs. 1 and 3, col. 1, line 53 through col. 2, line 8 and col. 4, lines 1-65; Hoshino, Figs. 2-4 and col. 3, line 38 through col. 4, line 7. Neither reference discloses or suggests removing fluid from or supplying

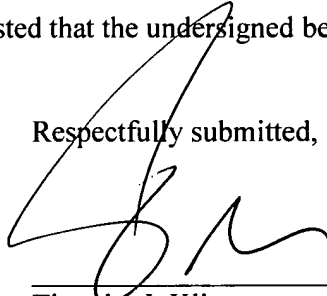
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fluid to a fluid flow in an area of the external surface of the blade. In fact, because of the enclosed internal flow structure of the blades in both references, the fluid passages in the blades cannot even access the fluid flow in an area of the external surface of the blades. For these reasons, neither Fukue nor Hoshino, alone or in combination, anticipate or render obvious the invention of claim 1 and it is respectfully requested that these rejections be withdrawn.

Since the remaining claims all depend from claim 1, they are believed to be in allowable condition for the same reasons as set forth with respect to claim 1, as well as for the further limitations contained therein.

In view of the above, it is believed that the application is in condition for allowance and such a Notice is respectfully requested. If anything else is needed to place the application in condition for allowance, it is kindly requested that the undersigned be contacted.

Respectfully submitted,

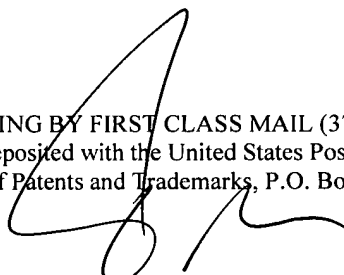


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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this Amendment is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450 on March 15, 2005.



Timothy J. Klima